

Atty. Dkt. No. A00067US

REMARKS

The application was filed with 49 claims. Applicant previously canceled claims 1-7, 10-15, 17-36, 39-40, and 43-49. Claims 8, 16, 37, and 41 are being amended. Accordingly, Claims 8, 9, 16, 37, 38, 41, and 42 are currently pending. Applicant requests that the pending claims be reconsidered.

Examiner Interview

On December 19, 2005, the Examiner mailed an Interview Summary regarding the telephonic interview of December 14, 2005. As described therein, Dinesh Sheth, Applicant, Doug Schelling, Applicant's attorney, and Examiner discussed the independent claims and cited references (Kumar, Khan, Flesner). Applicant described aspects of the invention which were supported by the application. Examiner described his interpretation of the prior art. Applicant indicated a willingness to file an RCE to proceed forward with prosecution of the application.

Rejections under 35 U.S.C. § 103

The Examiner rejects claims 8, 9, 37, and 38 under 35 U.S.C. § 103 as allegedly being unpatentable over Kumar et al. in view of Khan et al. The Examiner rejects claims 16, 41 and 42 under 35 U.S.C. § 103 as allegedly being unpatentable over Kumar et al. in view of Flesner et al. A *prima facie* case of obviousness requires (1) motivation to modify the reference, (2) a reasonable expectation of success, and (3) the prior art reference must teach or suggest all the claim limitations. M.P.E.P. § 2143. Applicant has amended claims 8, 16, 37, and 41. No new matter has been added by the amendments. Support for the amendments is found in the

Atty. Dkt. No. A00067US
application as follows. Support for the amendments is found on pages 7-10 of the application, as filed. Disclosure of the step of assigning each monitor content from received data is found on pages 11 and 13, and Figure 8a. Disclosure of the steps of assigning a color style, previewing, and selecting a color style for one or all monitors is found on page 12 and Figure 4.

Applicant has amended claims 8, 16, 37, and 41 to add the steps of "building" the view page, which is not taught by the combination of the cited references. Specifically, each amended claim requires: assigning each monitor content from retrieved data, assigning each monitor a color style from a color pallet having a set number of colors to pair, displaying the color pallet in a preview pane, and selecting whether to assign the color style to other monitors on the view page. Again, as supported on page 8, lines 4-16, Figure 2, and elsewhere, in the application, as filed, monitor means a window on the view page. Stated another way, a monitor is not the entire page (i.e. display) or view page. Since the cited references fail to teach all of the limitations of each amended claim, Applicant believes that the rejections of the amended claims 8, 16, 37, and 41 are moot. Applicant respectfully requests that the Examiner reconsider the rejections and withdraw them.

Regarding dependent claims 9, 38, and 42, since the amended independent claims from which these claims depend are not properly rejected, then the rejections of claims 9, 38, and 42 are not proper. Accordingly, Applicant respectfully requests that the rejections be reconsidered and withdrawn.

Applicant has merely commented upon certain aspects of the invention and reserve the right to provide further comments as necessary. Applicant notes that these remarks should not create limitations to the claims and that the claim language itself should be considered.

Atty. Dkt. No. A00067US

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date Feb. 22, 2006By Doug Schelling

WYATT, TARRANT & COMBS, LLP
Suite 800
1715 Aaron Brenner Drive
Memphis, TN 38120-4367
Phone: 901-537-1049
Fax: 901-537-1010

Douglas W. Schelling, Ph.D.
Attorney for Applicant
Registration No. 48,335

Should additional fees be necessary in connection with the filing of this paper, or any future papers, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No 502346 for any such fees; and applicant hereby petitions for any needed extension of time.